

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clint Rasschaert, Ed Risch, Pamela
Schiller, Verna Schuna, Eric
Gedrose, and Justin Short,

Civil File No. 0:11-cv-02963-DWF-JSM

Plaintiffs,

**DEFENDANTS' MOTION
TO DISMISS**

v.

Frontier Communications Corporation,
Frontier Communications of America, Inc.,
Frontier Communications of Minnesota,
Citizens Telecommunications Company
of Minnesota, LLC, and Citizens
Telecommunications Company of
New York,

Defendants.

TO: E. Michelle Drake, Rebekah L. Bailey and Anna P. Prakash, Nichols Kaster,
PLLP, 4600 IDS Center, 80 South 8th Street, Minneapolis, MN 55402.

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendants Frontier Communications Corporation, Frontier Communications of America, Inc., Frontier Communications of Minnesota, Citizens Telecommunications Company of Minnesota, LLC, and Citizens Telecommunications Company of New York, hereby move the Court to dismiss the claims of Plaintiffs Ed Risch and Justin Short for lack of subject matter jurisdiction and for failure to state claims on which relief may be granted.

This motion is based upon all the files, records, and proceedings in this matter, as well as the memorandum of law and all declarations and exhibits thereto that will be filed and served in accordance with Local Rule 7.1, and the arguments of counsel.

Dated: March 15, 2012

Respectfully submitted,

By /s/ Robert E. Cattanach
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